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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. P. 1148—*Cts.* 113-37-6, *dated Bangalore, 27th August* 1938.

In virtue of the powers vested in Government under the schedule to the Mysore Extradition Act, 1938, Government are pleased to direct that offences committed in British India which would, if committed in Mysore, constitute an offence under the Criminal Tribes Act, 1916, be deemed to be extradition offences for the purposes of the Mysore Extradition Act, 1938.

By Order,
B. T. KESAVIENGAR,
Chief Secretary to Government.

No. D. 1421—J. S. 35-36-14, dated Bangalore, 29th August 1938.

In exercise of the powers vested in them by Section 144 (2) of the Mysore Companies Act, VIII of 1917 and in supersession of the rules previously published with Notification No. 10872—I. and C. 359-20-2, dated 11th May 1921 and amended by various Notifications issued from time to time, the Government of His Highness the

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Maharaja of Mysore are pleased to publish the following revised rules for the grant of certificates to Auditors of Companies in the Mysore State.

RULES FOR THE GRANT OF CERTIFICATES TO AUDITORS OF COMPANIES.

1. The Government may, upon receipt of an application in this behalf from any person who is not below 21 years of age and who has at least *five years' practical training in auditing accounts* and who can satisfy the Government as to his competency, grant to any such person a certificate entitling the holder thereof to act as an Auditor of Companies.

2. (*a*) Every person desirous of obtaining a certificate shall apply to the Secretary to Government in the Development Department through the Registrar of Joint Stock Companies in Mysore (who may, on his own authority, reject such of the applications that do not fulfil the prescribed conditions) and shall specify :—

(i) His full name, age, caste, residence and qualifications; and the language or languages in which the accounts are kept, and which he considers he is competent to audit.

(ii) Any examination in Auditing or Accountancy he has passed with a certificate to that effect;

(iii) If he has served in any firm of Auditors or Accountants, particulars thereof and the period for which he may have so served; and

(iv) If he has audited independently the accounts of any companies, the names of such companies and the number of the accounts so audited.

(*b*) He shall state in his application whether at any time he has applied for a certificate from any other Government or Administration in India and the result of such application.

(*c*) He shall supply such further information bearing on his application as the Government, at any time, require of him.

3. The applicant shall also furnish satisfactory evidence of character.

4. Every person whose application has been accepted by Government shall be granted a certificate entitling him to act as auditor of Joint Stock Companies in the Mysore State on payment of the entrance fee and the annual fee; The certificate shall be in Form A (Annexure). No fee shall be payable for a certificate. No application shall be necessary for the renewal of a certificate but a fresh certificate, valid for the succeeding twelve months shall be sent to every auditor to whom a certificate was previously granted and whose certificate is still valid and who has paid the annual fee due under the Rule.

5. The certificate granted shall specify the language or languages of the accounts which the holder shall be entitled to audit and the holder thereof shall be entitled to audit accounts kept in such language or languages only.

6. The Government may at any time, renew the certificate on receipt of all arrears on account of the annual fee from the applicant. The renewal of a certificate to any person under this rule shall be notified in the *Mysore Gazette* and shall be communicated to the person concerned.

7. The fee prescribed by these Rules shall be paid to any Mysore Government Treasury for credit under the Head "XXII, Industries and Commerce, 1. Fees for Registration of Companies and Miscellaneous Receipts," and the duplicate Treasury chellan therefor shall be sent to the Secretary to Government, Development Department, through the Registrar of Joint Stock Companies in Mysore, Bangalore.

8. An application on behalf of a firm of Accountants consisting of more than one member shall be made in the name of the firm and shall state the name and qualifications of each member of the firm.

9. A person shall not be eligible for a certificate, if he :—

(i) has been adjudged by a competent Court to be of unsound mind ;

(ii) is an undischarged insolvent ;

(iii) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part ;

(iv) has been convicted by a competent Court, of any offence which is punishable under the Indian Penal Code and is under the provisions of the Code of Criminal Procedure non-bailable ; or

(v) having previously practised as a Public Accountant, is considered by the Government not to be a fit and proper person to be granted a certificate by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity.

10. The Government may cancel permanently or temporarily the certificate of any person :—

(*a*) whom they have declared not to be a fit and proper person to hold a certificate by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity, provided that, before making such declaration, the Government shall call upon the person concerned to show cause why his certificate should not be cancelled and shall make such further enquiry, if any, as they may consider necessary,

(*b*) from whom the annual fee has not been received on the expiry of three months from the date on which it becomes due.

11. The cancellation of the certificate of any person shall be notified in the *Mysore Gazette* and shall be communicated to the person concerned.

12. An Auditor's Certificate shall be deemed to be cancelled from the date on which and during the period for which it is cancelled.

13. (i) No person shall be entitled to a certificate except on payment to the Registrar of Joint Stock Companies in Mysore of a fee at the following rates, namely :—

	Rs.
(*a*) An entrance fee ... ... (Payable as soon as the application is accepted by Government).	100
(*b*) Annual fee ... ... (The annual fee shall be due and payable on the 1st April in each year).	25

(ii) If the certificate is lost or destroyed, a duplicate may be obtained by the holder on application to Government through the Registrar of Joint Stock Companies on payment of a fee of Rs. 3.

(iii) Such fee shall be credited by the Registrar to the Government.

14. (*a*) The Registrar of Joint Stock Companies shall maintain a Register in which shall be entered the name, residence and qualifications of every person or firm to whom a certificate has been granted under these rules and the date on which it has been granted.

(*b*) When a certificate is cancelled, the name of the person or firm to whom it was granted shall be removed from the said Register.

(*c*) It shall be the duty of the Registrar to keep the Register correct and up-to-date.

(*d*) Such register shall be open to the inspection of the public on payment of a fee of annas eight for each inspection.

By Order,
M. VENKATANARANAPPA.
Secretary to Government,
Development Department.

ANNEXURE.

Form A.

AUDITOR'S CERTIFICATE.

(*See Rule 4*).

This is to certify that.....
of.....is entitled to be appointed and to act as an Auditor of Joint Stock Companies, in the Mysore State. The holder thereof is authorised to audit the accounts of Joint Stock Companies in the State in.....language (s) only.

This certificate is valid from the..... day of 19.....to the day of 19..... (inclusive).

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